

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HARRY L. BECKETT,	:	
Plaintiff,	:	
	:	No. 1:18-cv-329
v.	:	
	:	(Judge Rambo)
U.M. GRANT, et al.,	:	
Defendants.	:	

ORDER

AND NOW, on this 9th day of December 2022, upon consideration of the above-captioned matter, and in accordance with the United States Court of Appeals for the Third Circuit's Opinion (Doc. No. 68-2) and Mandate (Doc. No. 68) filed with this Court on November 28, 2022, which affirmed in part and vacated in part this Court's Memorandum and Order entered on October 2, 2019 (Doc. Nos. 54, 55),¹ **IT IS ORDERED THAT:**

1. The Clerk of Court is directed to **REOPEN** the above-captioned action;
2. The parties are directed to complete discovery by **June 9, 2023**; and

¹ In pertinent part, the Third Circuit vacated and remanded this Court's Order discussing Plaintiff Harry L. Beckett ("Plaintiff")'s Eighth Amendment conditions of confinement claims, Eighth Amendment medical needs claims, and First Amendment retaliation claims. (Doc. No. 68-2 at 3-9.) The Third Circuit affirmed, however, this Court's Order discussing its other grounds for dismissal. (*Id.* at 9-10 (noting that: Eleventh Amendment immunity applies to the Pennsylvania Department of Corrections' facilities, its Bureau of Health Care Services, and its Office of Population Management; Plaintiff's alleged violations of the Americans with Disabilities Act and the Health Insurance Portability and Accountability Act failed to state a claim; and Plaintiff failed to allege the personal involvement of Defendant Dr. Frommer)).

3. The parties are directed to file dispositive motions, if any, on or before **August 8, 2023.**

s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge